

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

WILLIAM DEAN, SR.,	:	NO. 1:11-CV-793
	:	
Plaintiff,	:	
	:	
vs.	:	<b>ORDER</b>
	:	
JOHN MORRELL & COMPANY,	:	
et al.,	:	
	:	
Defendants.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 4), to which there were no objections.

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6<sup>th</sup> Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation well-reasoned and correct.

Accordingly, the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation (doc. 4) in all respects, and DISMISSES Plaintiff's Complaint with prejudice to

refiling. The Court further CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3), with respect to any application by Petitioner to proceed on appeal in forma pauperis, that an appeal of this Order would not be taken in good faith, and therefore the Court DENIES petitioner leave to appeal in forma pauperis upon a showing of financial necessity. Fed. R. App. P. 24(a), Kincade v. Sparkman, 117 F.3d 949, 952 (6<sup>th</sup> Cir. 1997).

SO ORDERED.

DATED: January 3, 2012     /s/ S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge